

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

ADAM M. BESTHOFF,

Debtor.

Case No. 16-11644-KHK
(Chapter 13)

WILLIAM MENJIVAR,

Plaintiff,

vs.

Adv. Proc. No. 16-1186

ADAM M. BESTHOFF,

Defendant.

ORDER GRANTING COMPLAINT FOR NON-DISCHARGEABILITY

THIS TRIAL came before the court on April 6, 2017, on the plaintiff's complaint asserting a claim for non-dischargeability of his debt and the defendant's counterclaims. For the reasons stated on the record, it is

ORDERED:

1. The debt owed by the defendant to the plaintiff is non-dischargeable under 11 U.S.C. § 523(a)(6).
2. Defendant's counterclaims for malicious prosecution, nuisance, and intentional infliction of emotional distress are denied.
3. This court abstains under 11 U.S.C. § 305 from determining the amount of the claim asserted by the plaintiff against the defendant.
4. Plaintiff is permitted to further prosecute this matter in state court, and any judgment

rendered by a court of competent jurisdiction in favor of the plaintiff shall be non-dischargeable under 11 U.S.C. § 523(a)(6) in the defendant's pending bankruptcy case.

DONE at Alexandria, Virginia, this 26th day of April, 2017.

Dated: May 1 2017

/s/ Klinette Kindred

Klinette H. Kindred
United States Bankruptcy Judge
Entered on Docket: May 2, 2017

Copy electronically to:

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